

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60116 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- KAUWAKOL District- Nawada

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Amit Kumar S/O Virendra Mistri @ Virenda Mistri R/O VILLAGE-
Jogachak, P.S.- Kawakol, DISTRICT- Nawada

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kawakol P.S. Case No. 209 of 2025 registered for the offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, informant received secret information that petitioner has kept liquor in Gandhidham Kolwa Forest area and upon search 300 litre country made mahua liquor was recovered from the bushes.

4. Learned counsel for the petitioner submits that name of the petitioner transpired in the present case on the basis of secret information but the source of the secret



information has not been divulged in the FIR. Learned counsel further submits that the place of recovery is an open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. He further submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of one case in which he is on bail. Nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 103 of the B.N.S.S.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada in



connection with Kawakol P.S. Case No. 209 of 2025,
subject to the conditions as laid down under Section 482(2)
of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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